

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK**

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EILEEN CASINO and DONATO CASINO,

Plaintiffs,

- against -

BRIAN CASSIDY, STONYBROOK [sic] UNIV.
HOSPITAL, WOODMERE NURSING HOME,
ANY OTHER FUTURE AGENT OF ANY KIND, and
NEW YORK STATE MENTAL HEALTH COURT,

Defendants.
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JUDGMENT
CV-14-0629 (SJF)(GRB)

**FILED
CLERK**

4/15/2014 4:05 pm

**U.S. DISTRICT COURT
EASTERN DISTRICT OF NEW YORK
LONG ISLAND OFFICE**

An Order of Honorable Sandra J. Feuerstein, United States District Judge, having been filed on January 27, 2014, *sua sponte* dismissing plaintiff's claims against Stony Brook and the State Court in their entirety pursuant to Rule 12(h)(3) of the Federal Rules of Civil Procedure for lack of subject matter jurisdiction, *sua sponte* dismissing in their entirety with prejudice plaintiff's Section 1983 claims against Woodmere and Cassidy pursuant to 28 U.S.C. § 1915(e)(2)(B)(ii) for failure to state a claim for relief, dismissing any state law claims without prejudice pursuant to 28 U.S.C. § 1367(c)(3), directing the Clerk of the Court to close this case, and denying *in forma pauperis status* for the purpose of any appeal, it is

ORDERED AND ADJUDGED that plaintiff take nothing of defendants; that plaintiff's claims against Stony Brook and the State Court are *sua sponte* dismissed in their entirety pursuant to Rule 12(h)(3) of the Federal Rules of Civil Procedure for lack of subject matter jurisdiction; that plaintiff's Section 1983 claims against Woodmere and Cassidy are *sua sponte* dismissed in their entirety with prejudice pursuant to 28 U.S.C. § 1915(e)(2)(B)(ii) for failure to state a claim for relief; that any state law claims are dismissed without prejudice pursuant to 28 U.S.C. §

1367(c)(3); that this case is hereby closed; and that *in forma pauperis* status for the purpose of any appeal is denied.

Dated: Central Islip, New York
April 15, 2014

DOUGLAS C. PALMER
CLERK OF THE COURT

By: /s/ Catherine Vukovich
Deputy Clerk